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**UNITED STATES DISTRICT COURT**

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**EASTERN DISTRICT OF TEXAS**

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TROY D. WHITMORE,

Plaintiff,

*versus*L. SHULTS, *et al.*,

Defendants.

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CIVIL ACTION NO. 1:20-CV-485

**ORDER ADOPTING THE MAGISTRATE  
JUDGE'S REPORT AND RECOMMENDATION**

Plaintiff Troy D. Whitmore, a former federal prisoner, proceeding *pro se* and *in forma pauperis*, brought this civil rights action pursuant to *Bivens v. Six Unknown Agents of Federal Bureau of Narcotics*, 403 U.S. 388 (1971), against L. Shults, First Name Unknown (FNU) Gilliam, FNU Bengel, FNU Tenner, FNU Hadnot, FNU Jeansonne, FNU Robinson, FNU Graves, FNU Mahone, FNU Primo, FNU Turner, FNU Williams, and FNU Slaughter.

The court referred this matter to the Honorable Zack Hawthorn, United States Magistrate Judge, at Beaumont, Texas, for consideration pursuant to applicable laws and orders of this court. The magistrate judge recommends dismissing the action pursuant to 28 U.S.C. § 1915(e) for failure to state a claim on which relief may be granted. To date, the parties have not filed objections to the report.

The court received and considered the Report and Recommendation of United States Magistrate Judge pursuant to such referral, along with the record, pleadings and all available evidence. After careful review, the court finds that the findings of fact and conclusions of law of the United States Magistrate Judge are correct.

Accordingly, the findings of fact and conclusions of law of the magistrate judge are correct, and the Report and Recommendation of United States Magistrate Judge (#26) is **ADOPTED**. A final judgment will be entered in this case in accordance with the magistrate judge's recommendation.

SIGNED at Beaumont, Texas, this 8th day of March, 2024.

A handwritten signature in black ink, reading "Marcia A. Crone". The signature is written in a cursive, flowing style. Below the signature is a horizontal line.

MARCIA A. CRONE  
UNITED STATES DISTRICT JUDGE